

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ENTERED

May 25, 2020

David J. Bradley, Clerk

CHARLES GONZALES,

Plaintiff,

V.

CIVIL ACTION NO. 4:18-cv-999

WILMINGTON SAVINGS FUND
SOCIETY, FSB, D/B/A CHRISTIANA
TRUST, NOT IN ITS INDIVIDUAL
CAPACITY BUT SOLELY AS TRUSTEE
FOR RMAC TRUST, SERIES 2015-5T
AND RUSHMORE LOAN
MANAGEMENT SERVICES LLC

Defendants.

TEXAS HOME EQUITY FORECLOSURE ORDER

On April 20, 2020, this Court issued an Order [Doc. 35] granting Defendant Cilici, LLC's Motion for Summary Judgment [Doc. 31]. As part of that April 20th Order, this Court granted Cilici, LLC's counterclaim seeking foreclosure of the home equity lien encumbering the property located at 10434 Rocky Hollow, La Porte, Texas 77571 (the Property). The Texas Constitution and Texas Rule of Civil 735 require a court order allowing foreclosure of a home equity lien. Accordingly, the Court hereby orders the following:

IT IS HEREBY ORDERED that Cilici, LLC, its successors or assigns, is entitled to proceed with a judicial foreclosure sale of the lien created under TEX. CONST. art. XVI, § 50(a)(6) in compliance with the Loan Agreement, TEX. PROP. CODE § 51.002, Texas Rules of Civil Procedure 735, and applicable law with respect to the secured Property made the subject of this proceeding;

IT IS FURTHER ORDERED that the mailing address of the property sought to be foreclosed is 10434 Rocky Hollow, La Porte, Texas 77571 ("Property") and is described more particularly, to-wit:

LOT NINE (9), BLOCK TWENTY-ONE (21), FAIRMONT PARKWAY, SECTION TWO (2), REPLAT, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN THE MAP RECORDS OF HARRIS COUNTY, TEXAS. TAX MAP OR PARCEL ID NO.: 0951480000009

IT IS FURTHER ORDERED that a copy of this Order shall be sent to Plaintiff with the notice of the date, time, and place of the foreclosure sale.

SIGNED THIS 23rd day of May, 2020.



UNITED STATES DISTRICT JUDGE